

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

MADISON B. TURNER,

Plaintiff,

v.

Case No. 2:21-cv-04192-NKL

ILG TECHNOLOGIES, LLC,

Defendant.

**DEFENDANT ILG TECHNOLOGIES, LLC'S
MOTION FOR EXTENSION OT TIME TO RESPOND
TO PLAINTIFF'S SECOND AMENDED COMPLAINT**

Defendant, ILG Technologies, LLC ("Defendant" or "ILG"), pursuant to Rule 6(b), Federal Rules of Civil Procedure, respectfully requests entry of an Order extending ILG's deadline to respond to the Second Amended Complaint filed by Plaintiff, Madison B. Turner ("Plaintiff"), from November 4, 2022 to November 14, 2022, and in support states:

1. On February 28, 2022, Plaintiff filed a two-count Amended Complaint against ILG for negligence and negligent infliction of emotional distress. (Dkt. 27).
2. On September 28, 2022, the Court entered an Order dismissing the Amended Complaint and directing Plaintiff to file a second amended complaint within 14 days of the Order, or on or before October 12, 2022, to "plead the additional facts necessary to support her theory of ILG's duty and breach of that duty." (Dkt. 60, at 30).
3. On October 13, 2022, Plaintiff moved for an extension of time to respond to the Complaint, which the Court granted. (Dkt. 61; Dkt. 62). Thus, Plaintiff's deadline to file the second amended complaint was extended to October 21, 2022.

4. Plaintiff filed the Second Amended Complaint on October 21, 2022. (Dkt. 63).

Accordingly, ILG's current deadline to respond to the Second Amended Complaint is November 4, 2022.

5. The Second Amended Complaint significantly expands the allegations asserted against ILG. The numbered allegations jumped from 25 to 93;¹ Plaintiff expands the scope of her allegations to include alleged software failures in Nevada, Indiana, and Louisiana (in addition to originally alleged software failures in Georgia); Plaintiff pleads five (5) different theories pursuant to which ILG purportedly owes a duty of care to Plaintiff; and Plaintiff added a third count asserting a cause of action for promissory estoppel.

6. Given the expansion of Plaintiff's claims against ILG, and the legal theories upon which Plaintiff bases her claims, it is respectfully submitted that an extension of time to respond to the Second Amended Complaint, up through and including November 14, 2022, is necessary for ILG's counsel to properly assess Plaintiff's factual and legal allegations and gather the necessary information to properly respond to Plaintiff's Second Amended Complaint.

7. Good cause exists for this enlargement of time. ILG needs additional time to properly review and investigate Plaintiff's allegations and claims before responding to the Second Amended Complaint.

8. This request will not prejudice any party because it is ILG's first request for an extension of time.

¹ As with the Amended Complaint, Plaintiff did not use consecutively numbered paragraphs. The allegations of the Complaint are interspersed with legal argument and analysis. The page count of the Second Amended Complaint is triple that of the Amended Complaint. (Compare Dkt. 27 with Dkt. 63).

9. This Motion is not interposed for purposes of delay, but only to allow ILG's counsel sufficient time to properly prepare an appropriate response to the Second Amended Complaint.

WHEREFORE, Defendant, ILG Technologies, LLC, respectfully requests the Court grant this Motion and enter an Order extending Defendant's deadline to respond to the Second Amended Complaint from November 4, 2022 to and including November 14, 2022.

DATED: November 3, 2022.

Respectfully submitted,

ABEL BEAN LAW P.A.

By: /s/ Jacqueline A. Van Laningham
Daniel K. Bean, Esq.
Florida Bar No. 15539
Jacqueline A. Van Laningham, Esq.
Florida Bar No. 1003168
100 N. Laura Street, Suite 501
Jacksonville, Florida 32202
(904) 944-4104
dbean@abelbeanlaw.com
jvanlaningham@abelbeanlaw.com

and

BANDRÉ HUNT & SNIDER, LLC

By: /s/ David G. Bandré
David G. Bandré #44812
227 Madison Street
Jefferson City, Missouri 65101
(573) 635-2424
(573) 635-2010 (Facsimile)
dave@bhslawmo.com

**ATTORNEYS FOR DEFENDANT,
ILG TECHNOLOGIES, LLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was mailed pre-paid U.S. mail this 3rd day of November, 2022, to

Madison B. Turner
7615 SW 58th Lane
Apt. 103
Gainesville, FL 32608
mbt16b@my.fsu.edu

/s/ Jacqueline A. Van Laningham
Attorney